

REMARKS

Please cancel Claims 6, 15 and 24 without prejudice. New Claim 33 is added. Claims 1-5, 7-14, 16-23 and 25-33 are pending. Claims 1, 10, 17 and 19 are amended herein.

No new matter is added as a result of the claim amendments. Support for new Claim 33 can be found at least on page 26, lines 4-22, of the instant application.

Reply to Examiner's Response to Arguments

On page 7 of the instant Office Action, the Examiner argues, in effect, that the discussion on pages 3240 and 3241 of Manzak and Chakrabarti (“Manzak;” *Variable Voltage Task Scheduling for Minimizing Energy or Minimizing Power*) is merely a recitation of an example and therefore Manzak teaches the execution of dependent tasks. Applicants respectfully disagree for the following reasons.

First, if merely an example, it may be only the number of tasks that are exemplified, not the fact that the tasks are independent.

Second, if indeed the recitation of independent tasks is merely an example, that fact alone does not mean that Manzak teaches the execution of dependent tasks. That is, one cannot conclude that Manzak teaches the execution of dependent tasks just because the discussion of independent tasks on pages 3240 and 33241 of Manzak is taken as being merely a recitation of an example.

Third, in the prior Office Action response, Applicants presented the discussion on page 3240 of Manzak as specific support for Applicants’

broader argument that Manzak as a whole does not address scheduling the execution of dependent tasks. Read as a whole, Applicants respectfully submit that Manzak does not address scheduling the execution of dependent tasks. As understood by the Applicants, Manzak appears to discuss only scheduling the execution of independent tasks. Applicants respectfully submit that there is absolutely no mention in Manzak of dependency between tasks.

In addition to the above, the Examiner is respectfully requested to consider the new arguments presented below.

103 Rejections

Claims 1-4, 7-13, 16-22 and 25-31

The instant Office Action states that Claims 1-4, 7-13, 16-22 and 25-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Manzak in view of McFadden et al. (“McFadden;” U.S. Patent No. 6,614,804). The Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention recited in Claims 1-4, 7-13, 16-22 and 25-31 are not shown or suggested by Manzak and McFadden, alone or in combination.

Applicants respectfully submit that Manzak does not address generating a schedule for executing tasks where the schedule accounts for precedence constraints, and in particular precedence constraints that fix the order in which at least some of the tasks can be executed. While Manzak does describe assigning a scheduling priority for each task, the scheduling priority is not determined using precedence constraints (see the third complete paragraph in the first column on page 3241 of Manzak).

Also, according to Manzak, the scheduling priority does not establish the order in which tasks are completed.

Thus, Applicants respectfully submit that Manzak does not show or suggest generating an execution schedule using precedence constraints that fix the order in which at least some of the tasks can be executed. This point is emphasized by the fact that Manzak only addresses the execution of independent tasks (see at least the last paragraph in the first column on page 3240 of Manzak). Manzak does not describe tasks that are dependent on the completion of other tasks. Independent tasks are inherently not subject to precedence constraints.

Therefore, Applicants respectfully submit that Manzak does not show or suggest “generating an execution schedule for decoding said encoded data stream, wherein said execution schedule comprises a sequence for executing at said client device said plurality of tasks according to precedence constraints that fix the order for executing at least a subset of said tasks” as recited in independent Claims 1, 10 and 19, nor does Manzak show or suggest “receiving said encoded data stream, wherein said encoded data stream is non-preemptable and subject to precedence constraints that fix the order for executing at least a subset of said tasks” as recited in independent Claim 28.

Applicants also respectfully submit that McFadden does not overcome the shortcomings of Manzak. Specifically, Applicants respectfully submit that McFadden, alone or in combination with Manzak, does not show or suggest the claim limitations cited above.

Furthermore, Applicants respectfully agree with the statement on page 3 of the instant Office Action that Manzak does not teach the transmission of an execution schedule to a client device. McFadden is cited to overcome this deficiency. However, Applicants respectfully disagree that this claimed limitation is shown or suggested by McFadden.

As noted in the instant Office Action, line 65 in column 2 of McFadden, for example, begins “low-volume scheduling information or content are transmitted.” First, neither this portion of McFadden, nor McFadden in its entirety (alone or in combination with Manzak), shows or suggests “transmitting to said client device … said processor settings” (emphasis added) as recited in independent Claims 1, 10 and 19 and as similarly recited in independent Claim 28.

Second, as understood by the Applicants, the scheduling information transmitted according to McFadden consists only of a scheduling announcement as to when the next download of a software upgrade or content will occur (see, for example, column 6, lines 32-34, of McFadden). In other words, Applicants respectfully submit that McFadden (alone or in combination with Manzak) does not show or suggest “transmitting to said client device said execution schedule,” “wherein said execution schedule comprises a sequence for executing at said client device said plurality of tasks according to precedence constraints that fix the order for executing at least a subset of said tasks” as recited in independent Claims 1, 10 and 19, nor does McFadden (alone or in combination with Manzak) show or suggest “receiving an execution schedule for decoding said encoded data stream, wherein said execution schedule comprises a sequence for executing a plurality of tasks according to said precedence constraints, wherein a task

decodes without preemption a frame of said encoded data stream" as recited in independent Claim 28.

In summary, Applicants respectfully submit that Manzak and McFadden, alone or in combination, do not show or suggest the embodiments of the present claimed invention recited by independent Claims 1, 10, 19 and 28.

Accordingly, Applicants respectfully submit that the basis for rejecting Claims 1, 10, 19 and 28 under 35 U.S.C. § 103(a) is traversed, and that these claims are in condition for allowance. Because Claims 2-4, 7-9, 11-13, 16-18, 20-22, 25-27 and 29-31 depend from either Claim 1, 10, 19 or 28 and contain additional limitations, Applicants respectfully submit that the basis for rejecting Claims 2-4, 6-9, 11-13, 15-18, 20-22, 24-27 and 29-31 under 35 U.S.C. § 103(a) is also traversed, and Claims 2-4, 6-9, 11-13, 15-18, 20-22, 24-27 and 29-31 are also in condition for allowance.

Claims 5, 14, 23 and 32

The instant Office Action states that Claims 5, 14, 23 and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Manzak in view of McFadden and further in view of Kaiserswerth et al. ("Kaiserswerth;" U.S. Patent No. 6,195,701). The Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention recited in Claims 5, 14, 23 and 32 are not shown or suggested by Manzak, McFadden and Kaiserswerth, alone or in combination.

Claims 5, 14, 23 and 32 are dependent on independent Claims 1, 10, 19 and 28 and recite additional limitations. Hence, by demonstrating that

Manzak, McFadden and Kaiserswerth (alone or in combination) do not show or suggest the embodiments of the present invention recited in Claims 1, 10, 19 and 28, it is also demonstrated that Manzak, McFadden and Kaiserswerth (alone or in combination) do not show or suggest the embodiments of the present invention recited in Claims 5, 14, 23 and 32.

As presented above, Applicants respectfully submit that Manzak and McFadden, alone or in combination, do not show or suggest the embodiments of the present invention recited in independent Claims 1, 10, 19 and 28. Applicants further submit that Kaiserswerth does not overcome the shortcomings of Manzak and McFadden.

That is, Applicants respectfully submit that Kaiserswerth, alone or in combination with Manzak and McFadden, does not show or suggest “generating an execution schedule for decoding said encoded data stream, wherein said execution schedule comprises a sequence for executing at said client device said plurality of tasks according to precedence constraints that fix the order for executing at least a subset of said tasks” as recited in independent Claims 1, 10 and 19, nor does Kaiserswerth, alone or in combination with Manzak and McFadden, show or suggest “receiving said encoded data stream, wherein said encoded data stream is non-preemptable and subject to precedence constraints that fix the order for executing at least a subset of said tasks” as recited in independent Claim 28.

Furthermore, Applicants respectfully submit that Kaiserswerth, alone or in combination with Manzak and McFadden, does not show or suggest “transmitting to said client device said execution schedule,” “wherein said execution schedule comprises a sequence for executing at said client device said plurality of tasks according to precedence constraints

that fix the order for executing at least a subset of said tasks" as recited in independent Claims 1, 10 and 19, nor does Kaiserswerth, alone or in combination with Manzak and McFadden, show or suggest "receiving an execution schedule for decoding said encoded data stream, wherein said execution schedule comprises a sequence for executing a plurality of tasks according to said precedence constraints, wherein a task decodes without preemption a frame of said encoded data stream" as recited in independent Claim 28.

In summary, Applicants respectfully submit that Manzak, McFadden and Kaiserswerth, alone or in combination, do not show or suggest the embodiments of the present claimed invention recited by independent Claims 1, 10, 19 and 28.

Accordingly, because Claims 5, 14, 23 and 32 depend from either Claim 1, 10, 19 or 28 and contain additional limitations, Applicants respectfully submit that the basis for rejecting Claims 5, 14, 23 and 32 under 35 U.S.C. § 103(a) is also traversed, and Claims 5, 14, 23 and 32 are in condition for allowance.

Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims.

Based on the arguments presented above, Applicants respectfully assert that Claims 1-5, 7-14, 16-23 and 24-32, as well as new Claim 33, overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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